

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RAEVAUGHN CANADY,

Plaintiff,

v.

D. SPROUL, *et al.*,

Defendants.

Case No. 21-cv-1537-NJR

**MEMORANDUM AND ORDER**

ROSENSTENGEL, Chief Judge:

Plaintiff Raevaughn Canady who, at the time he filed this case was an inmate of the Federal Bureau of Prisons ("BOP") incarcerated at U.S. Penitentiary—Marion ("USP—Marion"), brought this action for deprivations of his constitutional rights pursuant to *Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971). He was allowed to proceed on a single count for unconstitutional conditions of confinement against D. Sproul and Byram (Doc. 12).

On January 24, 2023, the Court entered an Order to Show Cause after learning that Canady was released from federal custody on November 25, 2022, and he had failed to update his address with the Court (Doc. 22). Documents sent to Canady were returned as undeliverable (*See* Docs. 18, 19, 21). Canady was directed to show cause why his case should not be dismissed for failure to follow Court Orders, specifically the Court's Order to update his address after any change in his location (Doc. 12, p. 6).

Canady had until yesterday, February 7, 2023, to respond to the Order to Show

Cause. He has not responded in any way; in fact, the Court has heard nothing from Canady since he filed his Amended Complaint in June 2022. Even the Order to Show Cause was returned to the Court as undeliverable (Doc. 27).

The Court will not allow this matter to linger. Canady has utterly failed to comply with the Court's Orders. Therefore, this action is **DISMISSED with prejudice** for failure to prosecute the claims. *See Fed.R.Civ.P. 41(b); Ladien v. Astrachan*, 128 F.3d 1051, 1057 (7th Cir. 1997); *Sroga v. Huberman*, 722 F.3d 980, 982 (7th Cir. 2013). The Clerk of Court is **DIRECTED** to enter judgment and close this case.

**IT IS SO ORDERED.**

**DATED: February 8, 2023**



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**NANCY J. ROSENSTENGEL**  
Chief U.S. District Judge